

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-45704-2019
Date of decision: 22.11.2019

Sharma Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Manish Prabhakar, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 40 dated 28.03.2016, registered under Sections 323, 324, 325, 326, 148 and 149 of the IPC at Police Station Ajnala, District Amritsar.

The operative part of the order dated 24.10.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner points to the fact that as per the statement of the Tehsildar Ajnala (copy Annexure P-3), though a scuffle took place between the parties in his office on 22.01.2016, in his presence, no kind of weapon was used and no injury was sustained by either side, with 'only' fist blows given.

He next points to the fact that an FIR was in fact registered more than two months thereafter, alleging therein that the petitioner and his accomplices having attacked the complainant party with sickles etc.

Notice of motion be issued to the respondent, returnable on 22.11.2019.

In the meanwhile, upon the petitioner joining

investigation, in case he is sought to be arrested, he would be released on bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilaqa Magistrate. He shall, further, abide by all the conditions stipulated in Section 438 (2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Ilaqa Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 24.10.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Jasbir Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 24.10.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

22.11.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No